

Controlled Correspondence For  
REGION 8

Congressional

**CONTROL NO:** R8-05008-C **ORIG. DUE DATE:** 3/10/05  
**STATUS:** PENDING **CORRES. DATE:** 2/24/05  
**RECEIVED DATE:** 2/28/05  
**ASSIGNED DATE:** 2/28/05  
**CLOSED DATE:**  
  
**FROM:** HONORABLE DIANA DEGETTE  
**ORG:** U.S. HOUSE OF REPRESENTATIVES  
**SALUTATION:** DEAR CONGRESSWOMAN DEGETTE  
**CONSTITUENT:** M. WINSTON KEYES  
**TO:** REGIONAL ADMINISTRATOR  
**SUBJECT:** CLEANUP OF HIS PROPERTY IN THE VB/I-70 SUPERFUND SITE  
**ASSIGNED:** 8EPR  
  
**COPIES OF THE INCOMING PROVIDED TO:** RA  
  
**SIGNATURE:** Regional Administrator  
  
**INSTRUCTIONS:** Please prepare reply for RA signature. Response must be handcarried for concurrences and signature using the routing slip provided. Questions? Call Sandy at x6604. THANK YOU.

**RECEIVED IN**

**MAR 01 2005**

**EPR-10**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 18<sup>TH</sup> STREET- SUITE 300

DENVER, CO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

*auth copy*

Ref: 8EPR-SR

MAR 04 2005

Honorable Diana DeGette  
U.S. House of Representatives  
600 Grant Street, Suite 202  
Denver, CO 80203

Dear Congresswoman DeGette:

I am writing in response to your February 24, 2005, letter regarding Mr. M. Winston Keyes' yard cleanup at the Vasquez Boulevard I-70 Superfund Site. As you are probably aware, EPA Region 8 Superfund Program staff began residential yard cleanups on August 14, 2003, and have addressed approximately 510 yards within the Site boundary. In addition to these cleanup activities, in-home health education activities began in February 2005 as part of the Community Health Program. I appreciate this opportunity to provide you with the following information.

We responded to Mr. Keyes on March 4, 2005, and a copy of that response is enclosed. I fully support the Vasquez Boulevard I-70 Superfund Site project and will work with my staff to ensure that the remedy selected under the September 25, 2003, Record of Decision is implemented and protective of Clayton, Cole, Elyria and Swansea residents.

We appreciate your interest and involvement in this project and recognize the importance of protecting the health of those individuals living within the boundaries of the Vasquez Boulevard I-70 Superfund Site.

If you or your staff would like further information on this Site, please contact me or Sandy Fells, our Regional Congressional Liaison at 303-312-6604.

Sincerely yours,

Robert E. Roberts  
Regional Administrator

Enclosure



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

**999 18<sup>TH</sup> STREET- SUITE 300**

**DENVER, CO 80202-2466**

**Phone 800-227-8917**

**<http://www.epa.gov/region08>**

**MAR 4 2005**

Ref: EPR-SR

Mr. M. Winston Keyes  
3459 Saint Paul Street  
Denver, CO 80205

Dear Mr. Keyes:

I am writing in response to your February 22, 2005, letter addressed to Congresswoman Diana DeGette regarding soil replacement for your property. As you are aware, EPA is removing residential soils in some yards within the Vasquez Boulevard I-70 Superfund site because lead concentrations exceed 400 parts per million lead and/or 70 parts per million arsenic.

In response to your concern, I have enclosed a copy of the soil sampling results for your property. I am pleased to report that the concentrations of lead and arsenic are well below the action limits. Specifically, soil sample results from your property indicated lead levels at 125.6 parts per million lead and arsenic levels at 11.3 parts per million. Over the course of this project, EPA has discovered that it is very common for one yard to have high levels of lead and/or arsenic and the yard next door to have very low levels. We believe this is at least partly due to the source of the contamination and the history of the property. Information indicates that one of the sources of arsenic in yards may be from lawn care products that were readily available for use in the 1950s and 1960s.

I would like to suggest that you contact the Colorado State University extension service Master Gardener at 720-913-5278 for a free consultation regarding your unhealthy lawn. The extension service provides homeowners with information on improving the health of their lawns and landscapes.

If you have additional questions or concerns, please feel free to contact Victor Ketellapper at 303-312-6578.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert E. Roberts".

Robert E. Roberts  
Regional Administrator

Enclosure



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 8**

**999 18<sup>th</sup> STREET - SUITE 500**

**DENVER, CO 80202-2466**

**<http://www.epa.gov/region08>**

**February 7, 2000**

**Ref: 8EPR-SR**

**3459 Saint Paul St**

**Denver, CO 80205**

**Subject: Sampling Results for 3459 Saint Paul St**

**Dear Winston Maurice Keyes:**

I am pleased to tell you that EPA has completed the testing of the soil samples collected from your property at 3459 Saint Paul St. Your soil was tested for arsenic and lead. We analyzed 3 samples from your yard. The results are reported in parts of arsenic and lead per million parts of soil. Your results are shown in Table 1.

EPA looks at the "decision values" (these are the numbers in the last row of Table 1) to determine whether a cleanup of your yard is needed. If the number is greater than 400 arsenic and/or 2,000 lead, your yard will need to be cleaned up.

Your results show that your yard does not require an immediate cleanup. We are completing a risk assessment that will determine if these levels may be high enough to warrant a cleanup in the future. We expect the risk assessment to be complete by September 2000. Results of this soil sampling study will be used to complete the risk assessment. If you are concerned, there are things you can do to reduce your contact with soil. The enclosed fact sheet describes them.

You may have questions about these results and what they mean to you as a property owner. EPA staff will be available to talk to you in person and confidentially about your results at an "availability session" we've scheduled in the area at the St. Charles Recreation Center at 3777 Lafayette Street on February 15, 2000 from 4:00pm - 8:00pm. You can stop by anytime during the session. EPA also will be hosting public meetings on February 22, 2000 at Harrington Elementary School and on February 23, 2000 at Swansea Recreation Center from 6:30pm - 8:30pm.

In the meantime, please don't hesitate to call me at (303) 312-6579, Ted Fellman at (303) 312-6119, or Patricia Courtney at (303) 312-6631. If you lease your property, please share these results with your tenants. Thank you for your continued cooperation in this study.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bonnie Lavelle".

**Bonnie Lavelle  
Remedial Project Manager**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

999 18<sup>TH</sup> STREET- SUITE 300

DENVER, CO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

*Concurrence  
copy*

Ref: 8EPR-SR

Honorable Diana DeGette  
U.S. House of Representatives  
600 Grant Street, Suite 202  
Denver, CO 80203

MAR 04 2005

Dear Congresswoman DeGette:

I am writing in response to your February 24, 2005 letter regarding Mr. M. Winston Keyes' yard cleanup at the Vasquez Boulevard I-70 Superfund Site. As you are probably aware, EPA Region 8 Superfund Program staff began residential yard cleanups on August 14, 2003 and have addressed approximately 510 yards within the site boundary. In addition to these cleanup activities, in-home health education activities began in February 2005 as part of the Community Health Program. I appreciate this opportunity to provide you with the following information.

We responded to Mr. Keyes on March 10, 2005 and a copy of that response is enclosed. I fully support the Vasquez Boulevard I-70 Superfund Site project and will work with my staff to ensure that the remedy selected under the September 25, 2003 Record of Decision is implemented and protective of Clayton, Cole, Elyria and Swansea residents.

We appreciate your interest and involvement in this project and recognize the importance of protecting the health of those individuals living within the boundaries of the Vasquez Boulevard I-70 Superfund Site. If you or your staff would like further information on this Site, please contact me or Sandy Fells, our Regional Congressional Liaison, at 303-312-6604.

Sincerely,

ORIGINAL SIGNED BY  
Robert E. Roberts

Robert E. Roberts  
Regional Administrator

Enclosures

*Rec  
8EPR-SR  
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*800  
Fells  
3-4-05*



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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 8**

**999 18<sup>TH</sup> STREET- SUITE 300**

**DENVER, CO 80202-2466**

**Phone 800-227-8917**

**<http://www.epa.gov/region08>**

Ref: 8EPR-SR

**MAR 04 2005**

*COPIES & ALL  
CNY*

Mr. M. Winston Keyes  
3459 Saint Paul Street  
Denver, CO 80205

Dear Mr. Keyes:

I am writing in response to your February 22, 2005 letter addressed to Congresswoman Dianna DeGette regarding soil replacement for your property. As you are aware, EPA is removing residential soils in some yards within the Vasquez Boulevard I-70 Superfund Site because lead concentrations exceed 400 parts per million lead and/or 70 parts per million arsenic.

In response to your concern I have enclosed a copy of the soil sampling results for your property. I am pleased to report that the concentrations of lead and arsenic are well below the action limits. Specifically, soil sample results from your property indicated lead levels at 125.6 parts per million lead and arsenic levels at 11.3 parts per million. Over the course of this project EPA has discovered that it is very common for one yard to have high levels of lead and/or arsenic and the yard next door to have very low levels. We believe this is at least partly due to the source of the contamination and the history of the property. Information indicates that one of the sources of arsenic in yards may be from lawn care products that were readily available for use in the 1950s and 1960s.

I would like to suggest that you contact the Colorado State University extension service, Master Gardener at 720-913-5278 for a free consultation regarding your unhealthy lawn. The extension service provides homeowners with information on improving the health of their lawns and landscapes.

If you have any additional questions or concerns, please feel free to contact Victor Ketellapper at 303-312-6578.

Sincerely,

ORIGINAL SIGNED BY  
Robert E. Roberts

Robert E. Roberts  
Regional Administrator

Enclosure

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Russo

8EPR-SR  
3/3/05  
V. Ketellapper w/ Connor



## Congressional

**CLOSED DATE:**

**INSTRUCTIONS:** Please prepare reply for RA signature. Response must be handcarried for concurrences and signature using the routing slip provided. Questions? Call Sandy at x6604. **THANK YOU.**

**EPR-10**



DIANA DeGETTE

1ST DISTRICT, COLORADO

1530 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
202-225-4431  
FAX 202-225-6857

DISTRICT OFFICE:  
600 GRANT STREET, SUITE 202  
DENVER, CO 80203  
303-844-4988  
FAX 303-844-4996

E-mail: [degette@mail.house.gov](mailto:degette@mail.house.gov)

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0601**

ENERGY AND COMMERCE COMMITTEE

SUBCOMMITTEE ON OVERSIGHT AND  
INVESTIGATIONS

SUBCOMMITTEE ON COMMERCE, TRADE,  
AND CONSUMER PROTECTION

SUBCOMMITTEE ON ENVIRONMENT AND  
HAZARDOUS MATERIALS

SUBCOMMITTEE ON HEALTH

February 24, 2005

The Honorable Robbie Roberts  
Regional Administrator  
EPA Region 8  
999 18th Street, Suite 300  
Denver, Colorado 80202

RE: Mr. M. Winston Keyes

Dear Regional Administrator Roberts:

I am writing on behalf of my constituent, Mr. M. Winston Keyes, who has contacted my office regarding ongoing operations surrounding the Vasquez Boulevard I-70 Superfund Site. I have enclosed Mr. Keyes correspondence for your review and action.

I would appreciate your investigation and consideration of this matter. Please direct your response to my District Office.

Should you have any questions or concerns regarding this inquiry, please contact my Congressional Aide, Chris Arend, at (303) 844-4988.

Thank you in advance for your assistance with this matter.

Sincerely,



Diana DeGette  
Member of Congress

DD:ca

February 22, 2005

Congresswoman Diana Degette  
1527 Longworth House Office Building  
Washington, DC 20515

Dear Diana:

I hope you remember me. I was one of three blacks working on your first congressional campaign. I recently spoke with you at the Obama rally at Manual High School. We spoke briefly about the soil replacement for many homeowners in northeast Denver.

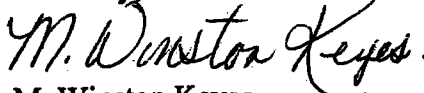
My question to you was why were most of the homes on my block being given new soil/sod and not me. My home along with two others are the only ones on my block not done. EPA offices have said levels of lead and arsenic were not as high as others on my block. This is hard to believe. EPA representatives also said it dealt with chemicals used on the lawns over the years.

My lawn guy who has been doing my families yard for over 40 years used the same chemicals on his yard that he used on mine and others on our block. He lives across the street from me and is getting his soil replaced as I write. Everyone's yard has been replaced except for mines. I am hoping you can make a call to the authorities and get my soil replaced with new sod. Over the years, all of our lawns began to develop a fungus that caused balled spots and new grass seeds would not grow. In 2006 or 2007 the United Usher Convention is coming to Denver. My Aunt is the state president for Boston, Mass.

This convention has not been in Denver since the 1970's. I cannot afford to pay someone to dig up my yard and replace soil and sod to entertain family and friends during this convention week. You told me when you were elected if there was anything you could for me to let you know. I am asking for your help and intervention now.

I looking forward to hearing from you soon.

Sincerely,



M. Winston Keyes  
3459 Saint Paul Street  
Denver, CO 80205  
303.316.4739  
Community/Civil Rights Activist  
Shorter Community AME Church Member